COMMISSION ON SECURITY AND COOPERATION IN EUROPE

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Oslo seminar focuses on democratic institutions

Pursuant to the mandate of the 1990 Charter of Paris for a New Europe, the 38 participating States of the Conference on Security and Cooperation in Europe held a Seminar of Experts on Democratic Institutions and Rule of Law in Oslo, Norway from November 4 to November 15, 1991.

The seminar brought together experts on constitutional reform, judicial systems, the roles played by non-governmental organizations, political parties, trade unions and the media to discuss how to construct foundations to support and sustain democratic societies.

The Prime Minister of Norway, Gro Harlem Brundtland, opened the first plenary session with an address in which she advocated that the "new security order must be built on existing CSCE principles." She also expressed her belief that the seminar would, through its discussion of practical ideas and contacts between people, make a lasting contribution to the future of democracy.

Many of the presentations made at the opening plenary, including that of Ambassador Richard Schifter, head of the U.S. delegation and Assistant Secretary of State for Human Rights and Humanitarian Affairs, focused on the proposal to transform the Warsaw Office for Free Elections into an Office of Democratic Institutions in order to provide a clearinghouse for information and activities designed to promote democratic institution building in the newly-free states of Europe. Almost all plenary speakers joined Ambassador Schifter in support of this concept.

Commission Chairman Steny H. Hoyer, who led a Congressional delegation to Oslo to participate in the meeting, addressed the November 11 plenary session. After calling on the participating States to set aside their pens, roll up their sleeves and spare no effort to ensure that the newly-independent countries of Europe do not falter in their pursuit of democracy, he noted the escalating violence in Yugoslavia, and stated that "continued use of aggressive force by any of the parties in Yugoslavia must be universally condemned. Those who seek to achieve their goals through such brute force will only ensure their exile from the new Europe."

Chairman Hoyer, joined by Reps. Glenn Anderson (D-CA), Martin Sabo (D-MN), Helen Bentley (R-MD), Ben Jones (D-GA), Collin Peterson (D-MN), and Commissioner William Fritts (Department of Commerce), also met with the Turkish and Yugoslav delegations to discuss human rights concerns—particularly the rights of minorities.

Helsinki Commission chairman Steny Hoyer addresses delegates from the 38 nations of the CSCE during the opening of the Oslo meeting

The Commission on Security and Cooperation in Europe by law monitors and encourages progress in implementing the provisions of the Helsinki human rights accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives and one official each from the Departments of State, Commerce and Defense.

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Three study groups at the Oslo meeting examined the following questions: constitutional reforms, the rule of law and independent courts, and the division of power between the three branches of government; the organization of elections, political parties and non-governmental organizations; and comparative aspects of legislating in the area of human rights and fundamental freedoms.

While often theoretical in nature, experts and delegates presented statements reflecting the divergence of experiences of participating States from those seeking to consolidate recent democratic gains to those representing well-established democracies.

Three public members of the U.S. delegation contributed to the study group discussions: Thomas Buergenthal, Professor of Law at George Washington University; Elspeth Rostow, Professor of Government at the University of Texas; and John Elliott, a lawyer from Philadelphia. Delegation members J. Kenneth Blackwell, U.S. Representative to the U.N. Human Rights Commission, and Joan Benziger of USIA gave presentations on free elections and the role of independent media, respectively.

David Evans, senior advisor for Soviet and East European Affairs at the Helsinki Commission, served as Deputy Head of the U.S. Delegation.

A rich program of parallel activities, organized by the Norwegian Human Rights Institute, complemented the work of the seminar and featured discussions ranging from human rights abuses to the protection of minority rights.

The participating states agreed to send a concluding report to the CSCE Council of Ministers even though the report was not adopted by consensus. The report provided a summary of the work of the experts and noted support for transforming the Office for Free Elections into a broadly focused Office of Democratic Institutions, but did not contain any new substantive commitments or elaborate concrete proposals for democracy-building programs.

—Jeanne McNaughton

Commission holds hearing on the conflict in Yugoslavia

On October 31, the Helsinki Commission held a hearing on the ongoing conflict in Yugoslavia and the efforts of the United States, the European Community and the CSCE to restore peace in that country. Appearing as witnesses were Ralph Johnson, Principal Deputy Assistant Secretary of State for European and Canadian Affairs, and John Lampe, Director of the East European Program at the Wilson Center and professor of history at the University of Maryland, College Park.

Opening the hearing, Commission Chairman Steny Hoyer noted that "the crisis in Yugoslavia comes at a time when relationships between European states are rapidly changing. This is visible in efforts to enhance the Helsinki process and the higher expectations its member States have for it in resolving the problems of a Europe in transformation."

The Chairman added that "Yugoslavia is the first real challenge to the new, enhanced CSCE" and expressed hope that the hearing would examine how the CSCE could more effectively meet that challenge.

For his part, Commission Co-Chairman DeConcini noted that "the real question therefore before us . . . is what if anything we can do to restore the peace and to convince those who have repeatedly broken it that the only lasting solution to the Yugoslav crisis is one achieved in accordance with the principles of the Helsinki Final Act."

The Co-Chairman lamented the lack of an active U.S. response to the conflict, noting that President Bush's "regrettable silence" on the issue "leads many people to speculate that the United States does not care about Yugoslavia."

"I know the American people do care," he added, maintaining that greater U.S. involvement in diplomatic efforts, especially in the CSCE, "would not undermine but complement the efforts already underway in The Hague."

A large portion of Yugoslavia has been affected by the conflict between the republics of Serbia and Croatia.

Other Members of Congress present reiterated the call for a more agressive U.S. response to the crisis. Representatives Chris Smith and Frank Wolf, along with Senator Alfonse D'Amato—all Helsinki Commissioners—expressed frustration with the lack of a high level expression of concern. Senator D'Amato further stressed the need to impose economic sanctions on the Republic of Serbia, and to ensure that these sanctions are enforced. Representative Helen Delich Bentley, pointing to some disturbing trends within Croatia, argued that the overall situation does not lead to one-sided conclusions.

Deputy Assistant Secretary Johnson responded to the Members' concerns, characterizing CSCE activities to date as "of crucial importance to efforts to achieve a peaceful resolution of the Yugoslav crisis."

Among the accomplishments which he cited: broadened European support through the CSCE for ongoing EC mediation efforts; consensus among the participating states against the use of force to settle disputes or change internal or external borders; the established principle of holding the individuals responsible for the continued violence accountable under international law; and protecting human rights, including minority rights, in accordance with CSCE principles.

On U.S. involvement, the Deputy Assistant Secretary defended current policies, maintaining that "Europe has the most at stake in this crisis, and also that Europe's political leverage—economic as well as political—is greater than ours." Nevertheless, Johnson stated that U.S. officials in Washington and Belgrade have been active in responding to developments as they occur.

In response to Deputy Assistant Secretary Johnson's statement, Senator Larry Craig, a Helsinki Commissioner, read portions of a letter from a constituent which quoted a resident of Dubrovnik asking why the United States was not more concerned about what was happening in Yugoslavia. The Senator added that, if it is true that the U.S. Government is active, then these activities need to be made better known to the public, which he said perceives the United States as relatively indifferent to the Yugoslav crisis.

The second witness, John Lampe, spoke primarily of the situation in Yugoslavia itself. He noted the lack of press freedoms in both Serbia and Croatia, where only atrocities allegedly committed by the other side were being reported in the republics' media along with a "stream of invective" that likely make efforts to restore peace more difficult.

He painted a grim picture of the fighting, relaying a comment by a Bosnian official to the effect that at least 10,000 people have died since early July, in contrast to the much lower figures cited in the press.

Dr. Lampe said that greater efforts by the United States and the CSCE process would be welcome, but he expressed caution over recognition of the republics, which he felt might strengthen the resolve of some parties to keep fighting. He also said such recognition would have to take into account the wishes of those parties, such as the republic of Bosnia-Hercegovina, which appear to be stuck in a precarious middle position in the current conflict. He added that recognition should consider the level of democratic development, arguing that free elections alone did not make Croatia a democracy.

—Bob Hand

Commission hosts business roundtable

The Helsinki Commission brought together over 50 business representatives last month in an effort to enhance economic cooperation and increase the opportunities for American companies to do business in Central and Eastern Europe as well as current former republics of the Soviet Union.

Referring to the dramatic events unfolding in the region, Chairman Hoyer noted that "we are in a new era, an era of opportunity for them and for us. This roundtable is an opportunity for us to interface with you to see how we can escalate opportunities for your companies and for American business" to take advantage of these developments. He urged the business representatives to engage in an on-going dialogue with the Commission to share their experiences in pursuing business ventures in the region.

Commission Co-Chairman DeConcini drew attention to the increasing importance of Basket II, "particularly in light of the absolute revolutionary changes that have occurred in Eastern Europe. We look to the business and commercial world as well as the NGOs to help bring about change in the economic conditions in the participating States," he said.

Commissioner William Fritts of the Department of Commerce gave an overview of the programs designed to assist U.S. businesses pursue opportunities abroad including the Eastern European Business Information Center, the Commercial Opportunities Initiative, and the Soviet-American Business Internship Training Program (SABIT) among others. He underscored the important role U.S. businesses can play in the process of economic transformation currently underway in much of the region.

Commission Staff Director Sam Wise provided an introduction to the CSCE process and the role of the Helsinki Commission. Deputy Staff Director Jane Fisher focused on Basket II and the Bonn Economic Conference.

Much of the roundtable was devoted to an open discussion of the opportunities and obstacles to trade in the region. Several participants addressed the tremendous uncertainties in doing business in the aftermath of the failed Soviet coup. Others discussed the implications of undeveloped banking systems, energy supplies, privatization, repatriation of profits and foreign investment laws as well as continuing U.S. export controls. Several concrete suggestions were advanced, including expanding the role of American small business in the region.

—Ron McNamara

CSCE
a series

CSCE staff monitors Turkmenistan's vote on independence

Over 94 percent of Turkmenistan's eligible voters opted for secession from the former Soviet Union in that republic's October 26 referendum on independence.

Helsinki Commission staff traveled to the Central Asian republic to monitor the referendum, in which voters also overwhelmingly endorsed President Saparmurad Niyazov's political and economic program.

Most republics of the crumbling Soviet Union declared independence soon after the August 19, 1991 coup attempt. The much-delayed declaration by Turkmenistan's conservative government was apparently aimed at bolstering their status in negotiations with other republics and the fast-vanishing Soviet "center."

But although Turkmenistan is seeking equality with the other republics on the negotiating field, President Niyazov has made it quite clear that his republic, though choosing independence, will not attempt to implement a Baltic or Russian-style system of political pluralism.

Equally clear from statements by the republic's official spokesmen and from the prominence of Iranian guests in Ashkhabad during the referendum is that Turkmenistan will pursue a regional foreign policy aimed at fostering good relations with its neighbors.

Commission hosts Armenian reception

A reception for newly-elected Armenian President Levon Ter-Petrossyan was hosted by the Helsinki Commission on November 13. Ter-Petrossyan, making his first visit to the United States since an overwhelming majority of Armenians approved a declaration of independence on September 21, was accompanied by his newly-appointed Foreign Minister, Raffi Hovannisian.

During the reception, Ter-Petrossyan asked Commission members to press for U.S. recognition of Armenia's independence, and reaffirmed his country's intention to pursue independence through peaceful and legal means.

Resolutions urge recognition of Helsinki standards

Chairman Hoyer and Co-Chairman DeConcini have introduced resolutions which urge the former Soviet republics to accept and implement the commitments on human rights and fundamental freedoms which are contained in the Helsinki Final Act and other CSCE documents.

The House and Senate resolutions also urge the parliamentary leadership of each of the independence-seeking republics to consider the establishment, within their respective borders, of appropriate mechanisms for the promotion and protection of human rights and freedoms.

While introducing the resolutions, both Hoyer and DeConcini noted that human rights abuses have already been reported in a number of the republics, while others "appear to be taking steps to promote and protect the rights of individuals within their territory."

"The dramatic events following the failed Soviet coup highlight the growing importance of these republics," Hoyer said. "It is essential to stress the importance of human rights and rule of law to the peoples of these republics as they seek to assert their independence and sovereignty."

"I am particularly concerned over reported human rights abuses in a number of these republics," DeConcini said. "Genuine pluralism and democracy are firmly rooted in respect for human rights and fundamental freedoms."

Senate urges independence for Ukraine

The Senate has approved a resolution introduced by Co-Chairman Dennis DeConcini (D-AZ) which urges President Bush to recognize Ukraine's independence and undertake steps toward the establishment of full diplomatic relations with its government.

Along with calling for the recognition of independence, the resolutions urge the President to utilize U.S. assistance, trade and other programs "to support the government of Ukraine and encourage the further development of democracy and a free market in Ukraine".

The Ukrainian parliament voted to declare independence from the former Soviet Union on August 24, shortly after the failed coup attempt in Moscow.

A nationwide referendum on the parliament's independence declaration was held on December 1, 1991, and garnered overwhelming support.

"The time has come to recognize the new realities of what used to be the Soviet Union and accept the fact that it is the republics themselves who are determining their own fate," DeConcini said. "The people of Ukraine are working energetically toward rebuilding a democratic state and we should extend our unequivocal support to their effort."

Greater role for U.S. in Yugoslav crisis urged

Helsinki Commission Co-Chairman Dennis DeConcini (D-AZ) has introduced a resolution which urges President Bush to immediately extend diplomatic relations to Yugoslav republics where declarations of sovereignty have been based on the "clear will of the people."

The resolution also urges the President to "give more active support to international efforts to restore peace"

between the warring republics of Croatia and Serbia.

The Co-Chairman said he introduced the resolution out of "sheer frustration" with the lack of U.S. involvement in reaching a peaceful settlement to the conflict.

"Whether we like it or not, Yugoslavia has been shattered to the extent that it cannot be put back together again except by the free will of its peoples," DeConcini said. "I believe reconciliation between the neighboring peoples of Yugoslavia is now much more likely to occur if they each have their own sovereignty and independence."

The resolution also states that the United States should refuse to recognize any changes in the internal or external borders of Yugoslavia achieved through the use of force, and urges the President to work with the European Community and other countries in imposing and enforcing economic and diplomatic sanctions against governments in Yugoslavia which violate ceasefire agreements.

The DeConcini resolution is in accordance with a European Community proposal which advocates the transformation of Yugoslavia into an association of independent states.

Commission invited to send 'inspection teams' to Georgia

Georgian President Zviad Gamsakhurdia has invited the Helsinki Commission to his republic in order to investigate opposition claims of human rights abuses and other violations of Helsinki principles.

"We hope to dispel the misinformation suggesting that we censored the press, prevented opposition media from publishing, jailed political opponents or that the constitution permits dictatorial activity by the executive branch," Gamsakhurdia wrote in his invitation to the Commission.

During the Commission's September visit to Georgia, opponents of Gamsakhurdia alleged that the president had reneged on his promise to introduce democratic and market reforms in the republic.

In turn, the president called his opponents "enemies of the people" in league with elements of the Soviet Government who wish to thwart Georgian independence.

Prime Minister of Albania visits Commission

Albanian Prime Minister Ylli Bufi met with Co-Chairman DeConcini during his first visit to the United States. During the meeting, the Prime Minister assured DeConcini that his government is committed to democratic development in Albania. He said that creating a judicial system based on respect for the rule of law would be a challenging task, and that new elections will likely take place next March.

Bufi also described the severe economic circumstances the country currently faces. He said that privatization of the agricultural will help to improve things in the future.

Prime Minister Bufi expressed great appreciation to the United States for all it has done for Albania. He also expressed grave concern over the continued Serbian repression of the Albanian population of Kosovo in neighboring Yugoslavia.

U.S. Post Office establishes new Baltic service

Persons mailing packages to individuals or families in Estonia, Latvia, Lithuania, and former Soviet republics can now take advantage of a new international parcel service which offers much faster delivery for just a little more money.

The new humanitarian airlift rate, calculated by adding a $1 per pound surcharge to the existing surface rate, will provide ground transportation from all points within the United States to the New Jersey International and Bulk Mail Center. From there, parcels will be airlifted to the Baltic Republics and the Soviet Union.

Parcels mailed at the airlift rate may not exceed 22 pounds and must be addressed to specific individuals or families. The destination country must appear in English as the last line of the address and parcels must bear the words "Humanitarian Airlift" in bold red letters.

The new airlift rate offers savings of about 50 percent over airmail rates, while greatly reducing the time normally required for transoceanic shipping.

The service will continue through March 31, 1992.

Hoyer addresses annual UCSJ meeting

Education is the key to wiping out the recent resurgence of racial intolerance which has spread throughout CSCE countries, Helsinki Commission Chairman Steny Hoyer told participants at a recent meeting of the Union of Councils for Soviet Jews.

Hoyer, the keynote speaker at the UCSJ Annual Leadership Meeting, noted that "the renewed display of hatred and discrimination in Europe has created new barriers within the CSCE to replace the old ones that governments have stripped away."

He told the group that while governments should not advocate the restriction of freedom of speech or association through legal means, government leaders "should openly and loudly condemn such attitudes, and actively promote tolerance, mutual understanding and equal rights."

He also noted that the CSCE Moscow Document contained new language on human rights ed on, affirming the need to "educate citizens on human rights and fundamental freedoms" in order to combat "intolerance, religious, racial and ethnic prejudice, and hatred, including anti-semitism."

—Commission staff

FOR THE RECORD

MILO CUCKOVIC, a Serbian fighter in the Croatian city of Vukovar, November 1991. "I even had to kill my former best friend, a Croat. Now I have nothing. This war has taken everything from me."

SMITH HEMPSTONE, U.S. Ambassador to Kenya, responding to allegations by Kenyan President Daniel Arap Moi that he has "contempt for Africans," November 1991. "Who is the racist? The one who suggests Kenyans are mature enough to handle multi-party democracy or those who suggest they are too primitive to handle it?"

EDUARD SHEVARDNADZE, on his re-appointment to the position of Soviet Foreign Minister, November 1991. "In these conditions, I could not just watch from the sidelines. We must take our places on the barricades to save peace, for an unstable Soviet Union is the biggest threat to peace for the whole planet."

RAFFI HOVANNISIAN, an Armenian-American, on his appointment to the position of Armenian Foreign Minister, November 1991. "I consider it an extension of the wonderful thing we grew up calling the 'American Dream,' playing my humble part in the revival of the land of my forefathers as it topples the legacy of communist totalitarianism."

RUSSIAN PRESIDENT BORIS YELTSIN, speaking to reporters in Bonn after signing the German-Soviet joint statement, November 1991. "I originally didn't want to involve myself with the details of (the question of returning Honecker) because it fell in the competence of Mikhail Gorbachev. I have taken a lot of powers away from him anyway and would like to leave him this one."

SOVIET PRESIDENT MIKHAIL GORBACHEV, on his proposal for a Union of Sovereign States, November 1991. "If we go down the road that by 'Union of Sovereign States' we mean . . . something amorphous and unclear, then I am sure we'll sink. We're already up to our necks in all this inefficiency, lifelessness, immobilization. The country is simply dying from this."

RECENT CSCE PUBLICATIONS

MINORITY RIGHTS: PROBLEMS, PARAMETERS, AND PATTERNS IN THE CSCE CONTEXT—Helsinki Commission staff report on the status of minority rights throughout the 38-nation CSCE. 168 pages.

REFERENDUM IN THE SOVIET UNION—A compendium of reports on the March 17, 1991 referendum on the future of the USSR. 46 pages.

THE ELECTIONS IN ALBANIA—On-site Helsinki Commission staff report on Albania's first multi-party elections since the 1920's, with an introduction. 32 pages.

SOVIET AND BALTIC ELECTION REPORT—Single volume compilation of on-site Commission staff reports on parliamentary elections in the Baltic states of Lithuania, Latvia, and Estonia, and the Soviet republics of Russia, Moldavia, Ukraine, Azerbaijan, and Georgia, with an introduction. 188 pages.

REPORT ON THE ESTONIAN REFERENDUM AND LATVIAN PUBLIC OPINION POLL ON INDEPENDENCE—On-site Commission staff report on the March 3, 1991, votes on independence in Estonia and Latvia, with an introduction. 5 pages.

COMMISSION TRIP TO VIENNA, THE BALTIC STATES, GEORGIA, ARMENIA AND MOSCOW—Report on the Helsinki Commission's September 1991 fact-finding trip to Vienna, Latvia, Estonia, Lithuania, Georgia, Armenia, and Moscow. 50 pages.

CENTRAL AND EAST EUROPEAN ELECTION REPORTS—Single volume compilation of on-site Commission staff reports on the 1990 elections held in the GDR, Hungary, the Yugoslav republics of Slovenia and Croatia, Romania, the Czech and Slovak Republic, and Bulgaria, with an introduction. 157 pages.

COMMISSION TRIP TO HUNGARY, YUGOSLAVIA AND ALBANIA—Report on the Helsinki Commission's March fact-finding trip to Hungary, Yugoslavia and Albania. 37 pages.

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